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OFFICE OF REGIONAL COUNSEL
EPA - REGION 8

**AGREEMENT FOR ACCESS AND RIGHT-OF-ENTRY FOR PURPOSE OF
PERFORMING NECESSARY RESPONSE ACTIONS**

Brian Rogers grants to the United States Environmental Protection Agency ("EPA") and its representatives (including its contractors) access and right of entry to the Cliff's Battery Service ("Site"), located at 205 East Woodin Road Sunnyside, Washington, and identified in Appendix A attached hereto and incorporated herein, upon the terms and conditions described below.

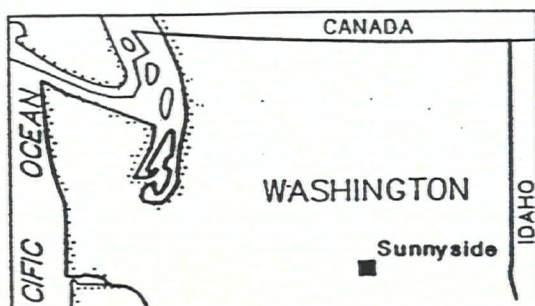
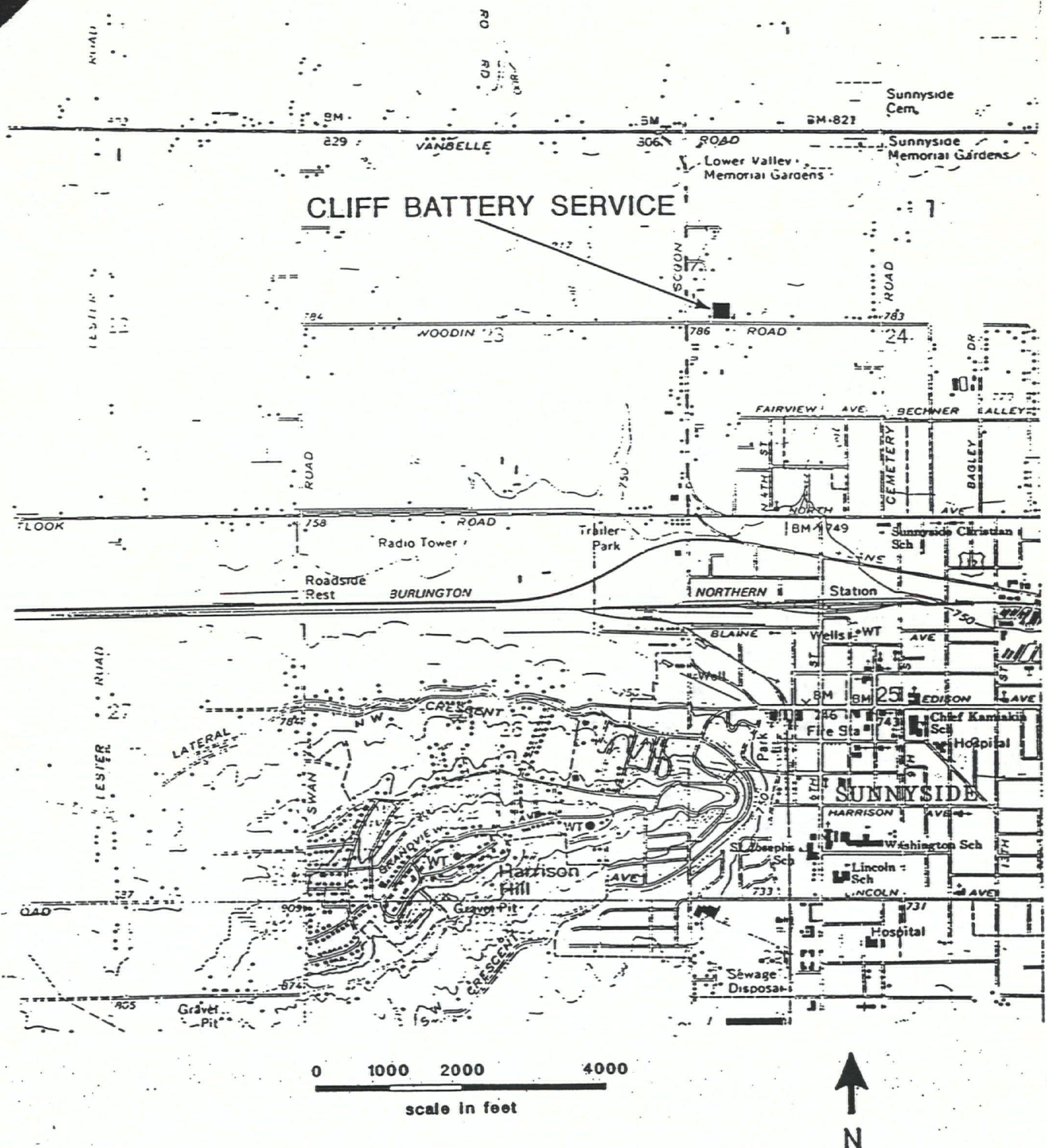
1. Insofar as he has legal power to do so, and without representing that it has such power, Brian Rogers hereby grants to EPA, its officers, agents, employees and representatives, access and right-of-entry upon the site. This access and right-of-entry is granted to enable EPA and its representatives to undertake the response actions, as described in Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 106, which the EPA deems necessary. These actions may include, but not necessarily be limited to, the destruction, alteration or removal of contaminated property, testing, treatment, monitoring or any other activity consistent with the performance of a response action under CERCLA.
2. All tools, equipment, buildings, improvements and other property taken upon or placed upon the Site by or at the direction of EPA or its representatives shall remain the property of EPA or its representatives, respectively.
3. Brian Rogers represents and EPA understands that in agreeing to this access and right-of-entry arrangement, Brian Rogers acts on his behalf only, and has no authority to act, and does not purport to act, on behalf of any other person(s) with respect to any right any such other person(s) may have to object to the access and right-of-entry requested by EPA.
4. The parties hereto agree that this access and right-of-entry is entered into at EPA's request and does not constitute a release of claims which EPA may have against Brian Rogers for conditions at or near the Site.
5. The parties hereto agree that Brian Rogers retains the access and right-of-entry it possesses notwithstanding this

agreement, but will exercise such rights in a manner which does not unreasonably interfere with response activities.

By Brian Rogers
Brian Rogers

3-16-90
Date

APPENDIX A



ecology & environment, inc.	
Job: T10-8901-010	Waste Site: WA 0478
Drawn by: B.T.	Date: March 10, 1989

FIGURE 1
LOCATION MAP